

HAGUE TOWN BOARD MEETING

October 8, 2019

A Special Town Board Meeting was held Tuesday, October 8, 2019 regarding Sewer Law Enforcement at the Hague Community Center at 5:00 pm with the following members present:

Edna Frasier, Supervisor
Martin Fitzgerald II, Councilman
Jack Bast, Councilman

Steve Ramant, Councilman
Joshua Patchett, Councilman

Absent: None

Recording Secretary: Melissa Patchett- Town Clerk

Others Present: Cathy Clark- ZEO, John Silvestri- Town Attorney, Tony DeFranco- Licensed Professional Engineer, and Ginger Kuenzel.

The Meeting was called to order by Edna Frasier, Supervisor.

A Motion was made by J. Bast and seconded by J. Patchett to open the Meeting at 5:04 pm to audit bills. All voted aye. Motion carried.

The Town Board discussed the statuses of individual properties within the Sewer Districts that have not yet connected. The Board questioned if the appeals received had met the outlined requirements. It was declared that all appeals be treated in a uniform, consistent and fair manner with fact-based determinations.

ZEO Clark discussed considerations for those who were working toward compliance.

Mr. Silvestri pointed out that there is nothing in the Town Law regarding time limitations on the second notices or on establishing financial hardships. He stated that the ZEO has a broad discretion and nothing has been arbitrary about the way the ZEO has been proceeding. He affirmed that there is some confusion on the responsibilities of the ZEO and of the Town Board.

The Board requested that a meeting be set up between Councilman J. Bast, Town Attorney Silvestri, and ZEO Clark to further define the Board's process for enforcement.

A Motion was made by S. Ramant and seconded by M. Fitzgerald, to go into an Executive Session to discuss the employment of an individual at 5:55 pm.

A Motion was made by M. Fitzgerald and seconded by J. Patchett to end the Executive Session, at which no decisions were made.

A Motion was made by M. Fitzgerald and seconded by S. Ramant to resume the Open Meeting at 6:18 pm.

The Regular Town Board Meeting followed in the courtroom, beginning at 6:21 pm with several additional town residents present, including Pamela & Myles Peterson, Matthew Reilly, Judith & Peter Foster, Sheri DeLarm, Barbara Rottier, Joan Clark, Dick Jarvis, Timothy Fiallo- Hwy MEO, Linda Mury- HVFD President, and David Martucci-Sole Assessor.

After the Pledge of Allegiance a moment of silence was held for:
Thomas Behr, Bruce Ergood, Imre Szabo, Don Carey

WELCOME GUESTS/PRIVILEGE OF THE FLOOR:

-Pamela Peterson of 9169 Lakeshore Drive, Tax Map #26.17-2-3, presented her fourth appeal to the Town Board for extreme hardships due to rock ledge. ZEO Clark confirmed that she had received three letters of appeal and that their system was permitted by the Town. Mr. DeFranco discussed the testing of the existing system and declared the system is functioning as it should.

RESOLUTION #105 TAX MAP #26.17-2-3 SEWER COMPLIANCE EXTENSION

On a Motion made by S. Ramant and seconded by J. Patchett,

WHEREAS all requisites for an appeal have been met,

IT IS RESOLVED to grant a five year extension for compliance to 12/31/2024 or until a point of failure of the current septic system, whichever comes first. Any further extension of connection compliance requires further appeal by the owner, the current requirements for such appeal prevailing.

Duly adopted by the following roll call vote:

Ayes: Edna Frasier, Martin Fitzgerald II, Steve Ramant, Joshua Patchett, Jack Bast

Nays: 0

Carried 5-0

-Matthew Reilly, on behalf of Elizabeth Lee of 9175 Lakeshore Drive, Tax Map #26.17-2-4, property neighbors Peterson's, stated the same conditions apply with rock ledge. ZEO Clark confirmed appeal requirements had been met. Mr. DeFranco tested the system and declared that the system and pumps are properly functioning.

RESOLUTION #106 TAX MAP #26.17-2-4 SEWER COMPLIANCE EXTENSION

On a Motion made by J. Bast and seconded by M. Fitzgerald,

WHEREAS all requisites for an appeal have been met,

IT IS RESOLVED to grant a five year extension for compliance to 12/31/2024 or until a point of failure of the current septic system, whichever comes first. Any further extension of connection compliance requires further appeal by the owner, the current requirements for such appeal prevailing.

Duly adopted by the following roll call vote:

Ayes: Edna Frasier, Martin Fitzgerald II, Steve Ramant, Joshua Patchett, Jack Bast

Nays: 0

Carried 5-0

-Peter Foster of 9212 Lakeshore Drive, Tax Map #26.18-1-9, presented his case for an appeal due to financial hardship. ZEO Clark stated that the letter of appeal received was for an extension of time. ZEO Clark also made mention that the current system pre-dates the Town's Sewer Codes. Mr. DeFranco tested the system and declared that although the system is not adequate for the usage, as long as it continues to be pumped regularly it seems to be functioning. The Town Board decided to table the appeal until January when the Board will have further defined its process for enforcement.

-Sheri DeLarm of 8979 Lakeshore Drive, Tax Map #42.12-1-13.2, presented her case requested an extension to allow Mr. DeFranco time to complete an inspection of the current system. ZEO Clark stated that the letter of appeal received was for a financial hardship and rock ledge. The Town Board decided to table the appeal until January or when an engineered inspection of the current system has been completed.

-Barbara Rottier, on behalf of Joan Clark of 37 Lakeshore Mine Road, Tax Map #26.18-1-4, presented the case for her client's financial hardship. It was declared that Ms. Clark has done as much as financially possible to be compliant thus far. Ms. Clark requested an extension of time in order to procure the remaining funding needed to make the connection. ZEO Clark stated that she had done an inspection while in residence and there was no sign of failure, the tank had been recently pumped, and no environmental hazard was found.

RESOLUTION #107 TAX MAP #26.18-1-4 SEWER COMPLIANCE EXTENSION

On a Motion made by E. Frasier and seconded by J. Bast,

WHEREAS good faith has been exhibited to date,

IT IS RESOLVED to grant a one year extension for compliance to 12/31/2020 or until a point of failure of the current septic system, whichever comes first. Any further extension of connection compliance requires further appeal by the owner, the current requirements for such appeal prevailing

Duly adopted by the following roll call vote:

Ayes: Edna Frasier, Martin Fitzgerald II, Steve Ramant, Joshua Patchett, Jack Bast

Nays: 0

Carried 5-0

MINUTES

On motion made by J. Bast, seconded by J. Patchett, IT IS RESOLVED, that the Minutes of September 10, 2019 and October 3, 2019 as submitted by the Town Clerk are approved. All voted aye. Motion carried.

RESOLUTION #102 PAY BILLS

Resolution introduced by J. Bast, and seconded by S. Ramant,

IT IS RESOLVED, to pay the following warrants as outlined in # 10-19

for a total of \$ 42,505.99

General	\$ 26,102.60	Occ. Tax	\$ 675.00
Highway	\$ 8,763.18	WQIP Grant	\$ 1,180.00
Sewer 1	\$ 3,764.60	Street Lights	\$ 482.02
Sewer 2	\$ 1,538.59		

Duly adopted by the following vote:

Ayes: Edna Frasier, Martin Fitzgerald II, Steve Ramant, Joshua Patchett, Jack Bast

Nays: 0

Carried 5-0

REGULAR COMMITTEE REPORTS:

- **Administrative: Frasier**
Assessor/Justice – Assessor submitted report to the Town Board.
Finance/Insurance
Recreation/ Promotion
E. Frasier had nothing else to report at this time.
- **Buildings& Grounds: Fitzgerald/Patchett**
Nothing to report.
- **Highway: Ramant/ Bast**
S. Ramant reported that the Highway Department were recipients of the SWIM Award for reducing salt usage on the roads, which helps to preserve the lake. The reward will be displayed in the Community Center.
Timothy Fiallo- HWY MEO & Clerk discussed how the Department has been working toward a better understanding of the science behind road maintenance and is making progress to move forward.
- **Museum/Historian: Patchett/ Ramant**
Ginger Kuenzel spoke on behalf of the Hague Historical Society. She stated that Alice Patchett attended the monthly meeting and they are working on creating a committee for the Old Hague Cemetery. She also mentioned that they are considering a new venue for their next author event, they are planning their next roadside markers, and are working on the second half of the Hague School exhibit.
- **Personnel: Bast/Fitzgerald**
Nothing to report.
- **Planning/Zoning: Fitzgerald/Patchett**
Nothing to report.
- **Town Park/Beautification: Ramant/Frasier**
S. Ramant reported that the Town Beach will be closing the launch on October 14th and is planning to turn the water off on October 30th.
- **Sewer District#1 & #2: Bast/Frasier**
Nothing additional to report.
- **Environmental Concerns: Ramant/ Patchett**
Nothing to report.

UNFINISHED BUSINESS: None

COMMUNICATIONS & PETITIONS:

On a Motion made by S. Ramant, seconded by J. Bast, IT IS RESOLVED to accept Donna Trudeau's resignation as Park Attendant effective 9/21/2019.

Duly adopted by the following vote:

Ayes: Edna Frasier, Martin Fitzgerald II, Steve Ramant, Joshua Patchett, Jack Bast

Nays: 0

Carried 5-0

NEW BUSINESS:

RESOLUTION #103 RESOLUTION TO ENTER INTO AN AGREEMENT WITH WARREN COUNTY FOR 2020 ROADWAY MAINTENANCE

Resolution introduced by S. Ramant, seconded by J. Bast,

WHEREAS, the County of Warren will pay the Town of Hague \$95,037.86 roadway maintenance,

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to enter into the intermunicipal agreement with the County of Warren for snow and ice removal on the paved county roads in the Town of Hague for the year 2020.

Duly adopted by the following vote:

Ayes: Supervisor Edna Frasier, Martin Fitzgerald II, Josh Patchett, Jack Bast, Steve Ramant

Nays: None

Carried 5-0

RESOLUTION # 104 CONTRACT WITH WARREN COUNTY YOUTH BUREAU

Resolution introduced by M Fitzgerald, and seconded by J. Patchett,

IT IS RESOLVED, to authorize the Supervisor to enter into a contract with Warren County on behalf of the WC Youth Bureau.

Duly adopted by the following vote:

Ayes: Edna Frasier, Martin Fitzgerald II, Steve Ramant, Joshua Patchett, Jack Bast

Nays: 0

Carried 5-0

On a Motion made by M. Fitzgerald, seconded by J. Patchett, IT IS RESOLVED to appoint Steve Ramant as Safety Officer.

Duly adopted by the following vote:

Ayes: Edna Frasier, Martin Fitzgerald II, Steve Ramant, Joshua Patchett, Jack Bast

Nays: 0

Carried 5-0

SUPERVISORS REPORT & COUNTY REPORTS: None

On a Motion made by J. Patchett, seconded by J. Bast, IT IS RESOLVED, to adjourn the Town Board Meeting at 7:28 pm. All vote aye. Motion carried.

Respectfully submitted,

Melissa L. Patchett
Hague Town Clerk